

Official Minutes for Webb County
Commissioners Court Meeting

Monday, September 25, 2006 at 1:00 PM
(Approved 11/13/06)

Call to order by Judge Louis H. Bruni

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 22nd of September 2006. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 1 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

Item No. 2 Pledge of Allegiance – Led by All

Cmr. Gtz. motioned to bring up item No. 24 and 25. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 24. Discussion and possible action to lease block seven hundred twenty (720) in the Eastern Division of the City of Laredo, Texas less and except the most northerly portion thereof which is within a tennis court area, from the Paisano Girl Scouts Council for a 25 year term, for County and public purposes, and authorizing the

allocation of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) from Bond Series 2006 for the construction of youth educational and recreational facilities, and any other matters incident thereto. **[Requested by Honorable Cindy Cortez Brunner, Commissioner, Precinct 4]**

Bobby Zuniga and Tony Migura from the Paisano Girl Scouts Council made a presentation on the history of the Paisano Girl Scouts. Ms. Migura stated that all of the members were committed and that all their dreams was to see Girls Scouts stay alive. Ms. Nancy Stewart Blair also spoke to the Court and explained all the things that she learned as a Girl Scout. She mentioned that the founder of the Girl Scouts was Juliette Gordon Low. A young Girl Scout member named Claire Kazen stated to the Court that she enjoys being a Girl Scout. Mr. David Cardwell stated tot the Court that his request was for the Court to approve Item # 24. He mentioned that by approving this item, Webb County would be building a future and it would have a tremendous impact on the future of Girl Scouts. Judge Bruni mentioned the importance of Girl Scouts because it instills in the youth the importance of being in school and eliminates the risks of these youths to go into the back sector of society. Judge Bruni also mentioned that the problems with our youths needed to be stopped at an early age. He also stated that he congratulated C.Y. Benavides for what he does for the Boys & Girls Club. Cmr. Brunner stated that this was the opportunity to help the Girl Scouts.

Cmr. Brunner motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25. Discussion and possible action to approve the construction of an indoor arena at LIFE Downs; the allocation of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) from Bond Series 2006 for the construction of the arena; the solicitation of design build proposals for the construction of the arena; and any matters incident thereto. **[Requested by Honorable Cindy Cortez Brunner, Commissioner, Precinct 4]**

DeeDee Martin, Director for LIFE Downs, introduced herself to the Court. Mr. John Carswell, 1st Vice-President, stated to the Court that the show arena at LIFE Downs was very small. He mentioned that every year LIFE has over 1200 exhibitors with 300 different projects. Mr. Nick Benavides mentioned that this facility would help them show future leaders the proper ways of raising these animals.

Cmr. Sciaraffa motioned to approved item as submitted. Cmr. Brunner seconded the motion

Motion carried 5-0 by unanimous consent.

Comr. Brunner mentioned that Comr. Sciaraffa was very involved in this project. Comr. Sciaraffa stated that he looked forward in helping LIFE. Comr. Brunner thanked the Court for approving all her projects.

- Item No. 11. Discussion and possible action to add Casa Ortiz, located at 915 Zaragoza Street, being the East 30.55' of Lot 2, the West 55.69' of Lot 3, & the West 55.69' of North 50' of 8 & East 38.81' of the North 50' of Lot 9, Block 19, Western Division, Laredo, Webb County Texas, to the Villa Antiqua Project and authorizing the Honorable Judith G. Gutierrez, Webb County Commissioner, Precinct 2 and the Honorable Homero Ramirez, Webb County Attorney to negotiate a lease purchase agreement with the owners of the property and any matters incident thereto. [Co Sponsored by Hon. Frank Sciaraffa, Webb County Commissioner Prct.1]

Dr. Ray Keck mentioned that he came in January to present the project as a concept, however, now he was coming to bring it to a reality. He stated that he was coming to the Court to ask them to partner with them to fulfill the two faces of Laredo. Dr. Keck introduced several members of the university. Dr. Keck asked the Court to help them add to the Villa Antiqua project. Ms. Maria Eugenia Calderon, Webb County Heritage, mentioned that the Villa Antiqua was a very special place in time and invites anyone who has not gone to call her for a tour. Dr. Ray Keck stated that they would like to call it the "Casa de las Culturas". Comr. Gutierrez stated that today was a wonderful day for great projects. She stated that it is a great project that Webb County is embarking on together with Texas A&M University and Webb County Heritage Foundation. She stated that she agreed with Ms. Calderon because the Villa Antiqua is a great place to visit and it would allow our children to know where we all came from.

Comr. Gutierrez motioned to approved item as submitted. Judge Bruni seconded the motion.

Motion carried by unanimous consent.

- Item No. 12. Discussion and possible action to designate and appropriate funding to provide for lease-purchase payments for "Casa Ortiz" and any matters incident thereto. [Co-Sponsored by Hon. Frank Sciaraffa, Webb County Commissioner Prct.1]

Comr. Gutierrez \$100,000 from the Bond Series for the lease purchase payments. Comr. Gutierrez asked all the Court for a match. Judge Bruni

matched Cmr. Gutierrez with \$100,000. Cmr. Sciaraffa matched Cmr. Gutierrez with \$100,000. Cmr. Brunner stated that she had no money left. Cmr. Garza stated that he could not match the \$100,000, however, he would give \$50,000.00. Judge Bruni stated that it was the first time in Webb County history that The New York Bond Company is giving the Court an A plus.

Cmr. Gutierrez motioned to approve item. Cmr. Sciaraffa seconded the motion.

Motion carried by unanimous consent.

Ms. Calderon thanked the Court for continuing to be the most progressive government in our area.

Cmr. Sciaraffa asked the Court if they could move up Item 10.

Cmr. Garza motioned to move up Item.10. Cmr. Gutierrez seconded the motion.

Motion carried 4-1 with Cmr. Brunner not present.

Item No.10. Discussion and possible action to allocate TEN THOUSAND DOLLARS (\$10,000.00) in the FY 2006-2007 budget to fund the Kids Café Program for Rio Bravo and El Cenizo with matching funds of TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) each from other community donations.

Cmr. Sciaraffa stated that this program would allow students to perform maximum level in school. He mentioned that the café would provide hot meals for the students and recreational activities. He stated that in some cases these students sometimes only get one nutritious meal a day and this would give them the opportunity to get two meals. He mentioned that this was an excellent program for kids from El Cenizo and Rio Bravo. Mr. Richard Noriega, South Texas Food Bank, mentioned that this program would not be in existence without Webb County and the City of Laredo. Mr. Noriega stated that the Kid's Café addresses hunger and poverty in our community. Mr. Alfredo Castillo, South Texas Food Bank Director, thanked the Court for the opportunity to present themselves before them. He mentioned that this program would mark the 8th and 9th Kids Café in our community.

Cmr. Sciaraffa mentioned that the match was for \$20,000 instead of \$10,000 from the 2006-2007 Budget. Cmr. Gutierrez stated that if this match came out of the discretionary funds it would only be there for one year, however, they would like to have it as a permanent fund. Mr. Carlos Villarreal, Executive Administrator, mentioned that this match for \$10,000 was already under the list to be approved for the budget. He mentioned that this funding could not be eligible under the Discretionary Bond money because it is for maintenance and operation of an existing program. Cmr. Gutierrez stated that if they approve the item right now they could just skip it when it comes up during the budget. Mr. Villarreal acknowledged.

Cmr. Gutierrez motioned to approve item as submitted for \$10,000. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 3 Approval of minutes – September 11, 2006

Judge Bruni asked the Court to defer approval of minutes to next meeting. Cmr. Sciaraffa motioned to defer approval of minutes. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 4 Approval of Bills, Payroll and Monthly Reports

Cmr. Gutierrez stated that the Court had received a copy of the Treasurer's Report and in order to save time she would like to ask the Court if the report could be approved without going into a lengthy report. Judge Bruni asked Ms. Delia Perales, County Treasurer, if that was okay with her. Ms. Perales acknowledged.

Cmr. Garza motioned to approve reports. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5 Communications

Judge Bruni mentioned that Mr. Jose Lozano Gonzalez, formerly known as, Jose "Pepe" Gonzalez had passed away on September 8, 2006. He stated that this gentleman was the nicest gentleman that he had ever come across. He stated that everyone should give thanks to God everyday that we are alive. Judge Bruni stated that Webb County is with the Gonzalez Family.

The rest of the Court had no items under Communications.

Item No. 6 Public Comment-This section provides the public the opportunity to address the Commissioners Court on any item on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

1st witness card – District Attorney Joe Rubio

Mr. Rubio stated that he was coming before the Court to ask for additional slot for an Assistant District Attorney. He mentioned that this Asst. D.A. would be in charge of the White Collar Crime and identity theft. He mentioned that he currently has three slots, however, these slots have other cases such as homicides and robberies.

2nd witness card – Joe Lopez (49th District Court Judge – Elect)

Mr. Lopez stated that he was for the proposed budget in respect to the 49th District Court and PreTrial Department. He stated that the Pre Trial Program played a big role in Senate Bill No. 7 and the Indigent Defense Act. He stated to the Court that he would be available for any information the was needed.

3rd witness card – Patricia Barrera (Tax Assessor Collector)

Ms. Barrera stated that she was going to talk about the Collections Department. She mentioned that she was passing out maps where they indicate what counties are scheduled to comply. She stated that she believes the Court can make an amendment on the Collections Department. Ms. Barrera explained that the Auditor's responsibilities was not collections. She mentioned that how could the Auditor audit himself. She mentioned that no one came to ask her or the County Clerk, nor the Treasurer if they wanted to be involved in the Collection's Department. She asked the Court who would be auditing the Auditor if the Auditor is the checks and balances of all departments. She stated that the Auditor does not have to answer to anyone not even the Court as where the Tax Assessor, Treasurer, and the County Clerk are subject to the public and the Court.

4th witness card – Delia Perales (County Treasurer)

Ms. Perales stated that six days ago she sent a Grievance Parity letter to all the Court. She mentioned that she never thought that parity was going to be given to any elected official. She stated that all Justices of the Peace had gotten parity and that not all of them were present. Ms. Perales stated that she felt discriminated because all she was asking for was for parity with the District Clerk and County Clerk. She mentioned that in 2003 all bank reconciliations were given to her office, however, no salary increase came with that. She said that she was the first to notice monies being stolen from the Utilities Department. She mentioned to the Court that on the publication made on the salaries, the publication for the Sheriff's salary was wrong. She said that there was an irregularity because the Sheriff's current salary was at 103,000 and only \$90,000 was published. She stated this notice had to be republished because she could not pay more than what was published.

5th witness card – Margie Ramirez Ibarra (Webb County Clerk)

Mrs. Ibarra stated to the Court that she would like parity with the District Clerk. She mentioned that everywhere in the State the District Clerk and County Clerk were compatible except Webb County. She stated that she had brought in \$450,000 in revenues. Mrs. Ibarra mentioned to the Court that she would have no problem in collecting the court costs and that she was not afraid and had no problem in administering the Elections Department.

6th witness card – Major Anthony Winteroth and Lieutenant Devally
(Sheriff's Department)

Major Winteroth stated to the Court that they were for the Mental Health Unit. He mentioned that there was a lot of work in the area of Mental Health. He mentioned that if given eight officers in reality it would be only four. And if it was cut down to four officers, in reality it would only be two

officers. He mentioned to the Court that there was an incident where an officer's gun was taken from him and it took two officers to get the gun back. He mentioned that hopefully all statistics would be taken into consideration when deciding on the Mental Health Unit.

7th witness card – Daniel Garza Castillon (Border Region MHMR)

Mr. Castillon mentioned that he was there to ask the Court for a local match of \$250,000. He stated that 75 % of the people served at Border Region MHMR are from Webb County. He stated that at the last meeting only \$100,000 was matched; therefore, he was here to ask the Court to reconsider the amount. He mentioned that Border Region MHMR has always been providing for the citizens of Webb County and never asked for anything in return.

8th witness card – Andy Ramos (Former County Judge)

Mr. Ramos stated to the Court that he was going to talk about an article on the Laredo Morning Times which titled "Show me the money". He stated that on behalf of the taxpayers of Webb County he was asking the Court that when they went into Executive Session, to work with the Judge and take into consideration the tax rate proposed by the Judge or lower the rate. He mentioned that about a week ago there was a notice posted in the Laredo Morning Times indicating that the Court wanted to raise the total tax revenues to 10.29 above and beyond of what Judge Bruni had recommended. He stated that the Court could make any additions or corrections to Judge Bruni's proposed budget, however, should remain with his proposed tax rate. He mentioned that at the recent Webb County Appraisal District Public Hearing more than 17,000 people protested, however, he did not see that amount at this meeting. He mentioned to the Court that maybe the Laredo Morning Times made a mistake. He also stated to Judge Bruni that the Commissioners in his absence took some action and that is what is being reflected under the notice of the Laredo Morning Times. He also stated to the Court to have compassion to the Taxpayer's of Webb County when approving Item #18.

9th witness card – Jesus Sanchez

Mr. Sanchez stated that he was for the pay raise for the elected officials. He mentioned that he feels that Ms. Delia Perales, County Treasurer, should get her parity too.

10th witness card – Javier Mendoza

Mr. Mendoza mentioned that he felt it was ridiculous for any elected official to be asking for a pay raise. He mentioned that if an elected official did not like the current salary then not to run for office. He stated that he did think that the County Clerk was doing a good job, however, instead of raising the salary they should lower the District Clerks salary. He stated that the Commissioners were not getting a pay raise, however, they were giving elected officials pay raises. He mentioned that how could the Court give raises to the Justices of the Peace, if a few weeks ago a JP had been caught drinking under the influence and having an open container and two others were recently elected. He stated that the Court should implement a pay scale for elected officials and should make a Citizens Advisory Council.

MEDIA BREAK 3:46 P.M. TO 4:17 P.M.

- Item No. 7. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications for a land-man for supervision of the oil and gas leases on Webb County School Lands and any other matters incident thereto.

Judge Bruni mentioned that this item was to be deferred being that the budget had to be approved first.

Cmr. Sciaraffa motioned to defer item until budget is approved. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 8. Discussion and possible action to authorize the Purchasing Agent to solicit Request for Qualifications for an MIS Director and any other matters incident thereto.

Judge Bruni stated that at the last meeting he had an item to appoint the acting as a permanent but since that did not happen this item needed to be placed on this agenda.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No.9. Discussion and possible action to appoint Ms. Kandy Walker Leyendecker to the Webb County Historical Commission.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13. Discussion and possible action to approve the Webb County Tax Rate of .056529 for General Fund Debt Service and .002012 for the Road and Bridge Fund Debt Service for a total Debt Service rate of .058541 per \$100 taxable valuation for tax year 2006 (Fiscal Year 2006-2007) pursuant to Chapter 26, Texas Property Code.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No.14. Discussion and possible action to approve the Webb County Tax Rate of .355921 for General Fund Maintenance and Operation and .005593 for the Road and Bridge Fund Maintenance and Operation for a total Maintenance and Operation rate of .361514 per \$100 taxable valuation for tax year 2006 (Fiscal Year 2006-2007) pursuant to Chapter 26, Texas Property Code.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Patricia Barrera, Tax Assessor Collector, stated that the notice that Mr. Andy Ramos talked about under the Public Comments had to be placed in the newspaper by law in which the comparison of last year's tax rate to this effective tax rate. She stated that the Court had not increased the tax rate when Judge Bruni was out. She mentioned that the Court had the opportunity to vote to change the way the Appraisal District is appraising property. She mentioned that it could either be done on 3-year appraisal or 1-year annual appraisal. However, Cmr. Garza was the only vote of three that voted for a 3-year term. The other two were from the school districts voting for a 1-yr term. Ms. Barrera mentioned that the reason they voted as such was for their benefit because all monies go toward the school districts. Cmr. Gutierrez stated that it was unfair for the state to place the burden on the Appraisal District. Cmr. Garza gave thanks to Ms. Patricia Barrera for being well outspoken at the Appraisal District. He mentioned that 90% of the calls that he receives and visitors to his office are people that are tired of paying taxes. He stated that not because the Appraisal District is called Webb County Appraisal District, it does not mean that they are Webb County. He explained that the reason they are called as such is because they value land in Webb County. Judge Bruni stated that these are all mandates that come from the legislation.

- Item No.15. Discussion and possible action to adopt, by Order, the Webb County Tax Rate of .420055 per \$100 taxable valuation for tax year 2006 (Fiscal Year 2006-2007) Pursuant to Chapter 26, Texas Property Code.

Ms. Patricia Barrera, Tax Assessor Collector, advised the Court that specific language needed to be used on the motion.

Judge Bruni moved that the property tax rate be increased by 0.420055 per \$100 tax valuation. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

*(ORDER FILED AT COUNTY CLERK'S OFFICE)

- Item No.16. Discussion and possible action regarding the setting of salaries, expenses and other allowances of Webb County Elected Officers for Fiscal Year 2006-2007 and authorizing the issuance of written notice to Elected Officers of the officer's salary and personal expenses a per section 152.013, Texas Local Government Code.

Cmr. Gutierrez motioned to approved item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

PUBLIC HEARING

Judge Bruni opened the Public Hearing at 4:34 p.m.

- Item No. 17. **Public Hearing to consider the proposed budget pursuant to Texas Local Government Code Section 111.007. At the conclusion of this Public Hearing, the Commissioners Court shall take action on the proposed budget pursuant to Texas Local Government Code Section 111.008(a).**

Judge Bruni mentioned that if anyone had any comments on the proposed budget. He stated that after the public hearing the Court would take action on the proposed budget.

1st – Daniel Castillon (Border Region MHMR)

Mr. Castillon stated that he was for the proposed budget. He mentioned if the Court could take into consideration his request for a local match. He explained that the local match would be used to service the community of Webb County.

2nd – Delia Perales (Webb County Treasurer)

Ms. Perales requested to the Court parity with the District and County Clerk. She stated that if parity was not granted, then she stated to the Court not to file the budget till her grievance was heard,

3rd – Jesus Sanchez

Mr. Sanchez stated that he was in favor of the budget.

CLOSE PUBLIC HEARING

Judge Bruni closed the Public Hearing at 4:40 p.m.

- Item No. 18. Discussion and possible action to adopt the Webb County budget for Fiscal Year 2006-2007 pursuant to Chapter 111, Texas Local Government Code. The Court may make any modifications to the County Judge's proposed budget that it considers warranted by law and required by the interest of the taxpayers by majority vote.

Mr. Carlos Villarreal, Executive Administrator, stated that the list of all different items requested was finalized this morning. He mentioned that different requests had been received from the Commissioners. He stated that with all requests before them would total a budget of \$66,607,407.00. He mentioned that the available balance after expenditures and revenues would be \$16,647.00. Mr. Villarreal mentioned to the Court that he was going to read out all items previously approved at the last meeting (**see pg. 1 attached on proposed list**). He mentioned that on number 3 under letter (c) (**see pg. 1 attached on proposed list**) that needed to be brought up for discussion and also number 10 for further action. He stated that the Court failed to address number 11 item b. which was Bruni Community Center Driver/Maintenance. He asked the Court if they could motion on this item.

Cmr. Gutierrez motioned for approval of the Bruni Community Center Driver/Maintenance. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Villarreal mentioned that on the position for numbers 16 and 17 (**see pg. 1 attached on proposed list**), for the Drug Court Baliff to be moved back to the 406th since there was going to be a position available that used to be for the District Attorney can be used for the 111th District Court. He stated that for the roving Court Reporter, that as per discussion with the Judges they could use the roving Court Reporter from the 406th for the other Courts that might need the reporter. Cmr. Gutierrez stated that as it relates to the additions and deletions being done as far as the duties for the Baliff and Reporter how does that affect the budget. Mr. Villarreal said it had a zero effect. Cmr. Gutierrez mentioned that as long as the Judges could work it out themselves she had no problem with the change. Mr. Villarreal stated that he had spoken to Judge Raul Vasquez and Judge O.J. Hale and they said that they had no problem and that they would work it out among themselves.

Cmr. Garza mentioned that under the General Administration of Justice which had allotted \$50,000 for Court Reporter/Interpreter if there was still a need for an additional interpreter. Mr. Villarreal stated that there might be some need for that but certainly not the \$50,000. Mr. Villarreal mentioned that he had discussed that with the Judges and they said they could have it for \$35,000, however, it was not stated in the budget.

Cmr. Sciaraffa motioned for \$20,000 for the Court Reporter/Interpreter. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to approve No. 5. **(see attached Attachment C on proposed list)** to move Baliff to 49th Judicial Court. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to approve No. 4 **(see attached Attachment C on proposed list.)**. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to delete the Pre-Trial Service Director at \$63,097 and (B) to delete the Part Timer at \$ 18,000.00 **(see attached Attachment C on proposed list)**. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to approve No. 3 **(see attached Attachment C on proposed list)** which is to establish the Indigent Defense Services Department from the PreTrial Services and have the New Department Management by The Indigent Defense Coordinator. Also that two Judicial District Judges and one County Commissioner would oversee this department. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Villarreal stated that no. 6 **(see attached Attachment C on proposed list)** which was to create two Mental Health Officers for Constable, Pct. 2 and that the additional \$12,375.00 was for operations because they do have to move prisoners. Cmr. Sciaraffa asked if the transportation van had been taken into consideration. Mr. Villarreal said that it would be separate but that would come before the Court for approval under the Capital Outlay.

Cmr. Sciaraffa motioned to approve three Mental Health Officers for Constable Pct. 2, a transporting van, and the \$12,375 for operations. Cmr. Gutierrez seconded the motion. Cmr. Garza asked if by doing this it would relief the problem that the Border Region MHMR had. Cmr. Sciaraffa asked Mr. Daniel Castillon from MHMR to come up to the podium. Cmr. Garza asked Mr. Castillon if this new positions would alleviate the problems that they had. Mr. Castillon mentioned that the difficulties that they had was diverting individuals from Laredo to San Antonio. He mentioned that they have a problem with the Sheriff in doing the transporting for whatever reasons that they might have and that by creating these officers it would compensate them. Mr. Castillon stated that a recommendation to the Court was to open an account under Border Region and they would use these monies to hire off duty officers to do the transporting. The reason that he suggested this was because these officers would be used only and solely for transporting or when the need arises. Cmr. Sciaraffa stated that the problem with that would be making sure that the officers have their hours needed and they would need to be under an agency. Judge Bruni stated that to make a long story short only law enforcement officers could transport these individuals. Cmr. Sciaraffa stated that by doing this it would alleviate the problems that MHMR is having with the transporting of these individuals being that the Sheriff has not been transporting for whatever reasons they

might have. Cmr. Sciaraffa asked Mr. Castillon if that was correct. Mr. Castillon said yes.

Cmr. Sciaraffa motioned to create three Mental Health Officers and \$12,375 for operations. Cmr. Gutierrez seconded the motion. Judge Bruni stated that there was a motion and a second on the floor with discussion. Cmr. Garza stated that he has a comment and a question, however, that in the interest of all fairness he would like to know Mr. Winterroth's comment. Cmr. Garza asked that if regardless of where these positions were created, if these individuals would be ready to go at a moments notice for issues related to mental health. He mentioned that it would really concern him if these officers would not be ready at a moments notice. He mentioned that it would defeat the purpose of creating such positions. Major Winterroth mentioned that it was not a matter of Sheriff Rick Flores wanting to transport these individuals or not being that the Sheriff has continued to transport these individuals from day one being back in 2005 at a cost to the Sheriff's budget since they were never funded. He stated that under the laws of the State of Texas the only duty that the Sheriff has are Court-ordered commitments and emergency detention orders by its own field officers. Major Winterroth mentioned that if an emergency detention order exists, that officer must follow it to the end until the individual is committed or released.

Cmr. Garza asked Constable Pct. 2 Ruben Reyes that if granted the officers by the Court if he could assure the Court that he could take on these responsibilities and that these officers were going to be used solely for Mental Health purposes. Constable Reyes mentioned that only the transportation part because he had not read the booklet that the Sheriff office has. Constable Reyes stated that the only time that he would be short on manpower is if somebody is ordered to be transported to San Antonio and also that same day somebody has Court. Cmr. Garza asked Constable Reyes if he could assure the Court that these officers would get whatever type of licenses needed and that these officers will be used solely for Mental Health. Constable Reyes acknowledged. Cmr. Gutierrez stated that for many years the Sheriff's office has been doing these transports for Border Region MHMR and Constable Reyes when working with the Sheriff has done these transports, however, just recently is when Border Region is not getting any support. Cmr. Gutierrez stated that is why the Court was going to assign these three deputy officers to Constable Reyes so that they could be assigned to MHMR. Mr. Castillon asked the Court if the officers being created were primarily going to be used to transport individuals to San Antonio because there was an enormous amount of transporting just for everyday activity to transport individuals to the jail and Border Region MHMR. Cmr. Gutierrez stated that they would be able to do this also since you did not have transporting to San Antonio on an everyday average. Constable Reyes mentioned that the process is that whichever agency that picks up these individuals takes them to the jail and then the Border Region. Once at Border Region, these individuals are taken to the Court by the officers and then stay there all day with them and then take them back to the state center to see if they are to be admitted and if not transport them whether it be in San Antonio, Waco, or Harlingen.

Judge Bruni asked what the wishes of the Court were. He mentioned that there was already a motion and a second.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal stated to the Court that he was talking to Judge-Elect Joe Lopez and he wanted to ask if the Court could amend their motion in regards to the two judges overseeing the PreTrial Services. He stated that Judge Elect Joe Lopez wanted to include all three judges that heard criminal cases to be part of the overseeing.

Cmr. Sciaraffa amended his motion to be three Judicial District Judges and one County Commissioner. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Villarreal stated the no. 7 **(see attached Attachment C on proposed list)** was to create an office clerk slot for Constable Pct. #4.

Cmr. Garza motioned to approve. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Villarreal stated that no 10 **(see attached Attachment C on proposed list)** was to create Assistant District Attorney for District Attorney Rubio.

Cmr. Gutierrez motioned to approve, Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to increase slots 1708 and 2282 from seven pay periods to additional 9 months. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Villarreal stated to the Court that the Collections Department item had not been discussed. He stated that he had heard a presentation done by Ms. Patricia Barrera and that he felt she was incorrect. He mentioned that the plan submitted had been approved by the Board of Judges and Commissioner's Court after nobody had showed any interest to submit a plan. He mentioned that he does not feel that somebody should get any positions at the very last minute which are subject to audit and that we could possibly loose out on \$205,000.00 of administration money and \$375,000.00 projected revenues that are possibly going to be getting out of the Collection's Department. Mr. Villarreal mentioned that the Collection's Department would be going after the some of the revenues that is outstanding in Webb County that we never see on a year to year basis. He stated that he is relying on a report from Hidalgo County where the collections went from 20% to 80%. Mr. Villarreal mentioned that the plan was well conceived and well derived that if the State has someone ask for a plan to follow by they send them Webb County's. He mentioned that time after time people request positions and at the end of the year fall short. He stated that he felt the most effective way is to be able to meet the revenue requirement and to have a department that is subject to audit because if they find that we are not in compliance we would not be receiving the administrative fees of \$205,000.00 almost paying for the department itself. He mentioned that the best interest of the County was to have one centralized cohesive department which does solely collections.

Mr. Jim Lehman, State Office of Court Administration, mentioned that he was here to talk about the collection improvement program which was approved

by the last State Legislature. He stated that counties with a population of 50,000 or more and cities with a population of 100,000 or more have to implement a collection improvement program. The State approve that half of the counties implement by April of 2006 and the other half implement by April of 2007. Mr. Lehman mentioned that there are punitive measure if the County is not in compliance. He mentioned that part of the measure is that the County has to be in 100% compliance so that would mean that every Court had to be implemented in the program.

Mr. Aaron Castillo, Regional Director/Collections Specialist, mentioned that this program was implemented since 1999. He stated that they were here to help the County with anything that it needed in order to comply with the mandates.

Cmdr. Gutierrez asked that since the plan had already been submitted, if the plan could be changed to another department and if they would be available for any questions that they might have. She asked what would happen if this would be done. Mr. Lehman stated that they were here to support whatever plan Webb County would submit or whoever they wished to give it to. Mr. Castillo stated that if two or three departments were to be handling the Collections Program then a plan would be needed for every department implementing the program. Cmdr. Gutierrez stated that there would not be any problems with the funding of the State regardless if the County Clerk or Tax Assessor get the program so long as they are in compliance. Mr. Lehman acknowledged. Cmdr. Gutierrez mentioned that she was told that if someone else got the program the State was not going to fund. Mr. Lehman stated that if one Court is not in compliance, then the County is not in compliance. Mr. Castillo stated that they recommend that the County go centralized being that it is better for the user and in regards to personnel it would be more effective. Cmdr. Gutierrez stated that regardless if it goes to the two elected officials or the Auditor effectiveness would be no problem.

Cmdr. Garza asked that someone please clarify as to who was approached to be able to perform the services of the Collections office.

Mrs. Gaby Lopez, Auditor's Office, stated that a memo was sent out to all JP offices, District Judges, County Court at Law Judges, Commissioner's Court, County Clerk, and District Clerk regarding Senate Bill #7. In November 2005, the Auditor's office went before the Auditor's Board to ask if it was okay for them to propose a plan to Commissioner's Court and the District Judges said yes. Cmdr. Garza asked that regardless if the office was to go centralized or decentralized, who would have the ultimate authority in auditing this department. Mr. Rafael Perez, Chief Deputy Auditor, mentioned that the Commissioners have audit authority that is why they select an independent Auditor, the County Treasurer, and he mentioned that they get audited annually by the state agencies. Cmdr. Garza asked Mr. Lehman and/or Mr. Castillo that based on their experience what operates better a centralized or decentralized office. Mr. Lehman mentioned that on his personal comment it is a smoother operation with a centralized office. He stated that you have one responsibility and one accountability stop for both the auditing purposes and the court user. However, he mentioned that was the positive side, in the negative side is that everyone in the centralized operation would have to know all levels of operation for all three courts. Cmdr. Garza asked that if it was set up as decentralized all departments would be audited from the state. Mr. Lehman acknowledged. Cmdr. Garza asked if everyone is to be in compliance in order to receive the funds. Mr.

Lehman acknowledged. Cmr. Garza stated that if one was not in compliance it jeopardized the whole County from being in compliance. Mr. Lehman acknowledged. Mr. Lehman mentioned that if any piece of the Judicial module was not in compliance, then there would be no funding. Mrs. Margie Ramirez Ibarra, Webb County Clerk, mentioned that at no time had she refused to do collections and that she attended the meeting done by the State. She mentioned that if they were to have any questions the Auditor's office would be there to help them. Mr. Villarreal stated that Auditors is the one who formulated the plan and that they are the ones aware of the system. Judge Bruni asked what the wishes of the Court were.

Cmr. Gutierrez stated that she would like to move to keep the Office of Court Administration but allotting Ms. Patricia Barrera and Mrs. Margie Ramirez Ibarra to do those collections and stated that was what was said in the budget that was voted on. She stated that she would like to continue to do that, however, the plan needed to be changed to reflect that Ms. Barrera and Mrs. Ibarra doing these collections and have the gentlemen work with them. Judge Bruni mentioned that there was a motion and that he would seconded the motion.

Motion was 2-2 with discussion with Cmr. Garza and Cmr. Brunner voting against. Cmr. Sciaraffa stated that he still has questions so he wasn't voting for or against. Judge Bruni asked Mr. Homero Ramirez, County Attorney, if this was legal. Mr. Ramirez stated that the Court is given some latitude since it is regarding Budget and could proceed as deemed appropriate. Ms. Barrera mentioned that Mr. Villarreal stated that she does not know anything, however, she stated that the Auditors did not know anything about this program either.

Cmr. Sciaraffa asked Mr. Villarreal how many slots the Auditor needed. Mr. Villarreal stated that they were five positions. He asked how many were needed for the County Clerk and Tax Assessor. Cmr. Gutierrez stated two. Mr. Villarreal mentioned that it would not take care of the JPs. Cmr. Sciaraffa stated to Mr. Castillo that when they met they talked about the hiring process and that his main concern was who was going to administer this department. Cmr. Sciaraffa asked Mr. Castillo that if the department was to be decentralized if the State was to still fund them. Mr. Castillo stated if they were in compliance yes. Cmr. Sciaraffa asked if they would still help them. Mr. Castillo said that is one of their services.

Judge Bruni asked if there was a motion. Cmr. Gutierrez stated that her motion still stands. Judge Bruni seconded the motion.

Motion carried 3-2 with Cmr. Garza and Cmr. Brunner voting against.

Mr. Villarreal stated that the projected revenues needed to be moved to the County Clerk and Tax Assessor. Judge Bruni asked if a motion was needed. Mr. Villarreal said yes.

Cmr. Gutierrez motioned to move projected revenues to County Clerk and Tax Assessor Collector department. Judge Bruni seconded the motion.

Motion carried 3-2 with Cmr. Garza and Cmr. Brunner voting against.

Judge Bruni moved that the recommended changes on this handout be approved as modified and that a handout be filed with the County Clerk and

be included with the minutes of this meeting. Cmr. Gutierrez stated that there was a change pending on the MHMR. Cmr. Gutierrez stated that when MHMR was here a few weeks ago, everyone had agreed that they could support \$250,000.00. Judge Bruni stated that if they could find the monies he was all for it. Cmr. Sciaraffa mentioned that with discussion with Mr. Homero Ramirez and Border Region MHMR they came to a consensus of \$150,000.00. Mr. Daniel Castillon, Border Region MHMR, stated that he would prefer the \$250,000.00 but whatever wishes that the Court had was greatly appreciated. Mr. Villarreal stated to the Court that the budget was already in the RED being about \$100,000 over. He stated that he would like to know from where they were going to get the resources to be able to balance.

Judge Bruni motioned to increase the funding for MHMR to \$200,000. Cmr. Gutierrez seconded the motion. Cmr. Garza asked for discussion. Cmr. Brunner asked where the money was going to come from. Cmr. Gutierrez stated that several cut downs had been done. Mr. Villarreal stated that several slots had been added too.

Judge Bruni mentioned that there was motion and a second.

Motion carried 4-1 with Cmr. Brunner voting against.

Mr. Villarreal asked to Court to allow him to adjust some of the fees that he feels the County Clerk's office should be projected to bring in to the County. Mr. Villarreal advised the Court that they would have a list detailing all the total amount of all changes made today.

Judge Bruni moved that the recommended changes on the handouts be approved as modified today and that the handout be filed with the County Clerk and be included with the minutes of today's meeting (**see attached Revised List**). Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that a motion was needed to adopt the budget with all the changes.

Judge Bruni motioned to adopt the budget with all the changes on the handout made today. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19. Discussion and possible action to adopt the
 "OPERATIONAL GENERAL ORDER" for fiscal year
 2006-2007.

Judge Bruni motioned to approve item 19 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7. Discussion and possible action to authorize the
 Purchasing Agent to solicit Request for Qualifications

for a land-man for supervision of the oil and gas leases on Webb County School Lands and any other matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20. Discussion and possible action to designate meeting dates and times on which the Commissioners Court shall convene in regular term each month during the Fiscal Year 2006-2007 Pursuant to Section 81.005, Texas Local Government Code. The Court may convene on any other day as deemed necessary and as authorized by law.

Judge Bruni motioned that the time and days that the Commissioner's Court has been operating under remain as it has been during his 4 year term. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21. Discussion and possible action to approve the proposed Holiday Schedule for Fiscal Year 2005-2006;
- Columbus Day October 9, 2006 (Monday)
 - Veteran's Day November 10, 2006 (Friday)
 - Thanksgiving November 23 & 24, 2006 (Thursday & Friday)
 - Christmas December 22, 25 & 26, 2006 (Friday, Monday & Tuesday)
 - New Years January 1 & 2, 2007 (Monday & Tuesday)
 - Martin Luther King January 15, 2007 (Monday)
 - President's Day February 19, 2007 (Monday)
 - Good Friday April 6 and 9, 2007 (Friday & Easter Monday)
 - Memorial Day May 28, 2007 (Monday)
 - Independence Day July 4, 2007 (Wednesday)
 - Labor Day September 3, 2007 (Monday)

***Three Personal Holidays**

*In accordance with Section 9.4 of the Webb County Personnel Policies and Procedures Manual, the three personal holidays will remain in effect.

Judge Bruni motioned that he wanted to eliminate in the month of December the 22nd and add the whole week from December 25th through December 29th and to resume County business January 3rd. Cmr. Gutierrez stated that the County always has January 2nd off. Judge Bruni stated that instead of coming back on Tuesday not to come back till Wednesday, January 3rd. Cmr. Garza asked Judge Bruni if what he wanted was to give seven consecutive days. Judge Bruni acknowledged. Judge Bruni stated that there was a motion on the floor if anyone second. Cmr. Gutierrez seconded the motion. Cmr. Garza asked if it was for the change or entire item. Judge Bruni stated it was for entire item.

Motion carried 4-1 with Cmr. Garza voting against.

Item No. 22. Discussion and possible action to designate the northeast side of the 1st Floor of the Justice Center to the Tax Office.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the item.

Motion carried 5-0 by unanimous consent.

Item No. 23. Discussion and possible action to pass a resolution amending authorized representative for signatory purposes for the Texpool Investment Entity by deleting Luis Saucedo as a signatory and adding Carmen Moreno, Executive Administrator, as a signatory.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26. Discussion and possible action to enter into a one (1) year (October 1, 2006 through September 30, 2007) Equipment Service Agreement with Record Systems, L.L.C. to provide equipment maintenance for the Kardex Lektriever filing system located at the Risk Management Department at a cost of NINE HUNDRED AND SEVENTY FIVE DOLLARS (\$975.00), and authorizing the County Judge to execute all relevant documents. [Requested by Risk Management; Acct. No. 001-0105-6402 (Equipment

Maintenance)].

Item No. 27. Discussion and possible action to enter into a one (1) year (October 1, 2006 through September 30, 2007) Equipment Service Agreement with Record Systems, L.L.C. to provide equipment maintenance for the Kardex Lektriever filing system located at the Purchasing Agent at a cost of NINE HUNDRED AND SEVENTY FIVE DOLLARS (\$975.00), and authorizing the County Judge to execute all relevant documents. [Requested by Risk Management; Acct. No. 001-0600-6402 (Equipment Maintenance)].

Item No. 28. Discussion and possible action to enter into a one (1) year (October 1, 2006 through September 30, 2007) Equipment Service Agreement with Record Systems, L.L.C. to provide equipment maintenance for the Kardex Lektriever filing system located at the Webb County Attorney's Office at a cost of NINE HUNDRED AND SEVENTY FIVE DOLLARS (\$975.00), and authorizing the County Judge to execute all relevant documents. [Requested by County Attorney, Acct. No. 001-1101-6402 (Repairs and Maintenance Equipment)].

Item No. 29. Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES-352 Digital Photocopier Machine for the Floyd's Kitchen Head Start for a twelve (12) month period (October 1, 2006 through September 30, 2007) with a monthly base rate of TWENTY-FIVE DOLLARS (\$25.00) being THREE HUNDRED DOLLARS over the term of the lease and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Account No. 903-4208-6014 (Equipment Rental)].

Item No. 30. Discussion and possible action to enter into an Equipment Lease Agreement with Office Communications Systems,

Inc. for one (1) Toshiba ES-352 Copier to be located at head Start Floyd's Kitchen Center for a thirty-six month period (October 1, 2006 through September 30, 2009) in the amount of ONE HUNDRED EIGHTEEN DOLLARS AND NINETY-FIVE CENTS (\$118.95) per month being a total of FOUR THOUSAND TWO HUNDRED EIGHTY-TWO DOLLARS AND TWENTY-CENTS (\$4,282.20) over the term of the lease and authorizing the County Judge to sign all relevant documents. Requested by Head Start Account No. 903-4208-6014 (Equipment Rental)].

Item No. 31. Discussion and possible action to enter into a five (5) year (April 1, 2006 through March 31, 2011) Equipment and Maintenance Lease Agreement with Pitney Bowes to lease and maintain a DM 1000 Postage Metering System and accompanying hardware and software located at the Tax Assessor/Collector's office at a cost of EIGHT HUNDRED AND SIXTY FOUR DOLLARS (\$864.00) a month for a total cost of FIFTY ONE THOUSAND EIGHT HUNDRED AND FORTY DOLLARS (\$51,840.00) over the lease term, and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Tax Assessor/Collector; Acct. No. 001-0106-6402 (Repairs & Maintenance Equipment)]

Item No. 32. Discussion and possible action to enter into a two (2) year lease agreement (September 18, 2006 thru September 17, 2008) with Resun Leasing, Inc. for a portable building being payable in quarterly installments of FOUR THOUSAND ONE HUNDRED NINETEEN DOLLARS (\$4119.00) and authorizing the County Judge to sign all relevant documents. [Requested by Head Start; Account No. 903-4207-6012 (Space Rent)]

Item No. 33. Discussion and possible action to enter into a "Security System Agreement" with The Best Alarm Company for fire monitoring for two (2) years (June 7, 2006 through June 6, 2008) at TWO HUNDRED THIRTY-NINE DOLLARS

(\$239.00) per year and authorizing the County Judge to sign all relevant documents. [Requested by M. I. S. (Records Management), Account No. 001-0500-6402 (Equipment Maintenance)]

Item No. 34. Discussion and possible action to enter into a "Security System Agreement" with The Best Alarm Company for security monitoring for a period of two (2) years (June 7, 2006 through June 6, 2008) at TWO HUNDRED THIRTY-NINE DOLLARS (\$239.00) per year and authorizing the County Judge to sign all relevant documents. [Requested by M. I. S. (Records Management), Account No. 001-0500-6402 (Equipment Maintenance)]

Judge Bruni moved to approve items 26, 27, 28, 29, 30, 31, 32, 33, and 34 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.35. Discussion and possible action to approve the transfer of one (1) 2001 Ford vehicle VIN number (1FTRX17W61NB01003) from the Sheriff Department to Constable Ruben Reyes, Pct. 2.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action proclaiming the week of October 2-6, 2006 as "Try Transit Week" in Webb County.

Item No. 37. Discussion and possible action to approve payment by the Webb County Community Action Agency totaling \$336.72 to the Texas Department of Housing and Community Affairs for a disallowed expenditure made by the program. The grant runs from January 1, 2006 through December 31, 2006. [Funds are to come from County Grant Matching account # 001-0112-7200-08).

Cmr. Gutierrez motioned to approve items 36 and 37 as submitted. Cmr.

Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to accept the award of a Victim Coordinator Liaison Renewal Grant from the Office of the Attorney General Crime Services Division in the amount of \$39,000.00 with a \$3,300.00 in-kind match for a total amount of \$42,300.00. The grant will fund a Victim Coordinator Liaison position in the Webb County District Attorney's Domestic Violence Unit and this project will be administered by the District Attorney's Office.

Item No. 39. Discussion and possible action to accept a grant from the U. S. Department of Justice Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program in the amount of \$49,413.00 for improvements to the existing Webb County pistol and rifle range that will facilitate and improve training opportunities for Webb County law enforcement personnel.

Item No. 40. Discussion and possible action to authorize Judge Louis H. Bruni to sign a contract with Wildfire Truck and Equipment Sales/Southwest Ford for the construction and purchase of a large brush truck for Webb County Fire Services. The purchase amount on the contract is \$121,364.00, of which \$108,000.00 will be reimbursed by a Texas Forest Service Grant, with the remainder/match covered by the County as per previous action of the Commissioners Court.

Item No. 41. Discussion and possible action to authorize the Economic Development Department to apply for a Texas Task Force on Indigent Defense Formula Grant in the amount of \$111,453.00, to be administered by the Public Defender's Office. There is no County match required.

Cmr. Gutierrez motioned to approve items 38, 39, 40, and 41 as submitted.
Cmr. Garza seconded motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that he recommended that item 40 be deferred until the next meeting. He stated that the reason being that he needed to check if it was consistent competitive with the Purchasing Act before signing contract. Mr. Eloy Ramirez, Purchasing Agent, mentioned that the County has purchased two which Mr. Steve Landin would be picking up. He stated that this is an additional one that is being purchased through a grant that Mr. Vargas obtained which we don't know yet if we have complied with the competitive bid statute.

Judge Bruni motioned to defer Item no. 40 till the next meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to fill vacant slot # 046, Assistant Specialist, at \$10.69 per hour to be charged to the Election Administration Payroll Account # 001-0107-5001.

Cmr. Gutierrez motioned to approved item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43. Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Update Application for FY 2006 - 2007 (October 1, 2006 - September 30, 2007).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to retain the services of VAV Electric in the amount of \$23,000.00 for an electric meter loop for the Water Well located on the Webb County School Lands, Hwy. 44. [Engineering Department Acct. No. 718-0118-8601;Balance \$100,000.00]

Item No. 45. Discussion and possible action to purchase a one (1) three-quarter ton pickup through the Houston Galveston Area Council State Contract No. VE03-06 in the amount of \$23,327.00 for the land officer. [Funds: Certificates of Obligation Series 2006.]

- Item No. 46. Discussion and possible action to request one (1) cellular phone for the Purchasing Staff for 500 minutes.
- Item No. 47. Discussion and possible action to ratify the purchase of one (1) circuit breaker from C.E.D. in the amount of \$5,630.00 for the Webb County Jail-Sheriff's Department. [Acct. No. 001-2060-6401;Balance \$8,033.31]
- Item No. 48. Discussion and possible action to authorize the Purchasing Agent to purchase four (4) computers, six (6) monitors and software from Southern Computer Warehouse in the amount of \$9,997.58 for the District Attorney's Office.[Acct. No. 169-1100-6224;Balance \$10,000.00]
- Item No. 49. Discussion and possible action to purchase ten (10) complete air packs through the Houston Galveston Area Council Bid No. RE11-04 in the amount of \$26,727.00 from Dooley Tackaberry for the Sheriff's department. [Acct. No: 001-2060-6402 Balance \$19,982.16 and Acct. No. 168-2001-6401; Balance \$11,700.00]
- Item No. 50. Discussion and possible action to authorize the Purchasing Agent to solicit proposals for a Certified Appraiser for nineteen (19) parcels for the Cuatro Vientos Road Project for the Engineering Department. [Acct. No. 694-7102-6022; Balance \$24,892.00]
- Item No. 51. Discussion and possible action to authorize the Purchasing Agent to purchase one (1) digital color copier in the amount of \$9,580.00 from Office Communications Systems for the Engineering Department. [Acct. No. 660-0115-8801; Balance \$9,574.07]
- Item No. 52. Discussion and possible action to authorize the Purchasing

Agent to lease purchase one (1) digital color copier for 36 months in the amount of \$277.65 per month for the Head Start Program. [Acct. No. 903-4207-6014; Balance \$11,444.00]

Item No. 53. Discussion and possible action to reject the one (1) proposal received for the Online E-Payment for traffic citations and to authorize the purchasing agent to re-advertise for proposals.

Item No. 54. Discussion and possible action to purchase a/c window units from Sears/Kenmore through the TXMAS state contract number 6-51V020 for the CAA-CEAP Program.

Item No. 55. Discussion and possible action to purchase two (2) 2007 Chevrolet Tahoes through the Houston Galveston Area Council state contract VE03-06 in the amount of \$69,846.00 for the Sheriff's Department. [Acct. No. 324-2001-8801; Balance \$71,337.25]

Item No. 56. Discussion and possible action to approve the final payment to Zertuche Construction in the amount of \$29,248.00 for the interior repairs project for the Risk Management department, Cynthia Mares-Risk Manager. [Acct. No. 001-0105-6032-04 Storm Damage Claims.]

Item No. 57. Discussion and possible action to award the following bids for the FY 2006-2007 annual contracts:

Bid 2007-19 "Two Year Contract for Pharmaceutical Supplies

Recommendation: Peoples' Preferred Pharmacy

Bid 2007-25 "Annual Contract for Automotive Glass Replacement

Recommendation: Garcia's Auto Glass

Bid 2007-26 "Annual Contract for Plumbing Supplies"
Recommendation: Hughes Supply Plumbing

Bid 2007-32 "Annual Contract for Uniforms"
Recommendation: UniFirst

Item No. 58. Discussion and possible action to authorize the Purchasing Agent to obtain cellular services from Verizon Wireless for (7) seven cellular phones with 200 minutes for the Webb County Community Action Agency Meals on Wheels Program.

Item No. 59. Discussion and possible action to authorize the Purchasing Agent to retain from Verizon Wireless cellular services for the El Cenizo Community Center for a total of three (3) phones. Ricardo Molina, Director (900 minutes).

Judge Bruni motioned to approve items 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59. Cmr. Gutierrez seconded the motion

Motion carried 5-0 by unanimous consent.

Item No. 60. Discussion and possible action to approve the placement of the County's Excess Workers Compensation Insurance with Midwest Employers Casualty Company for excess coverage and direct and authorize Wachovia Insurance Services, Inc. (Webb County's Insurance Broker) to finalize the placement in one of the following amounts,

Retention Amount	Annual Premium
\$500,000.00	\$74,544.00
\$450,000.00	\$76,711.00
\$400,000.00	\$78,999.00

and authorizing the County Judge to sign all relevant documents: [Funds available in account #817-0105-6035]

Ms. Cynthia Mares, Risk Manager, recommended the retention amount of \$500,000.00 at an annual premium of \$74,544.00.

Cmr. Gutierrez motioned to accept the recommendation from Ms. Mares. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 61. Discussion and possible action to accept and approve the Insurance Committee's recommendation on Request for Proposal (RFP) 2006-19 and award a 13 month contract, beginning October 1, 2006, to the Texas Association of Counties Health and Employee Benefit Pool to bind Blue Cross Blue Shield to act as the County's Third Party Administrator for health/dental plans at the following per covered individual per month rates:

\$40.47 for medical Claim administration services

\$3.72 for dental claim administration services

\$3.40 for disease management services

\$19.70 for specific stop loss insurance

\$200,000 deductible for medical claims

\$3.16 for aggregate stop loss insurance

125% corridor for medical and prescription drug claims

and authorizing the County Judge to sign all relevant documents. [Funds available in account #816-0105-6038]

Ms. Cynthia Mares, Risk Management, mentioned that this item dealt with the renewal of the insurance. She mentioned that Mr. Kim Wethy wanted to make a recommendation being that he made the evaluations and appraisal of all the Bids that came in. Cmr. Gutierrez stated that she would like to hear his recommendation. Mr. Wethy recommended to renew using the Texas Association of Counties using Blue Cross Blue Shield as a third party administrator. Mr. Wethy also recommended to move the \$150,000 deductible to a \$200,000 deductible which would result in a saving to the County. He stated that a modification to the prescription drug program would produce an additional saving to the County. He also recommended to implement a disease management program through the sum of the savings which would be generated through these two programs.

Cmr. Gutierrez motioned to approved item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 62. Discussion and possible action to approve the renewal of Property/Casualty/Liability Insurance and decline the TRI Terrorism coverage with St. Paul Travelers at an annual

premium of \$740,217.31 (effective October 1, 2006 through September 30, 2007) and directing and authorizing McGriff, Seibels & Williams of Texas Inc., the County's Property/Casualty/Liability Insurance Broker, to place said policy with St. Paul Travelers and authorizing the County Judge to sign all relevant documents. [Funds available in account #001-0105-62-032]

Ms. Mares mentioned that Mr. Joe Blasi was present representing McGriff & Siebels for any questions that the Court might have.

Cmr. Gutierrez motioned to approved item as submitted. Cmr. Sciaraffa seconded the motion..

Motion carried 5-0 by unanimous consent.

Item No. 63. Discussion and possible action to retain the services of Professional Actuarial Services, Inc. for the Actuarial Report of Webb County's Self funded Workers' Compensation Program for the period ending September 30, 2006, granting an exemption from Section 262.024 of Local Government Code (Competitive Proposal Requirements) for a cost not to exceed FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$4,800.00) and authorizing the County Judge to execute all relevant documents. [Account # 817-0105-6022 Professional Services]

Cmr. Gutierrez motioned to approved item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 64. Discussion and possible action to retain the services of Lewis & Ellis, Inc., for the mandated GASB Statement 45 for the accounting of Retiree Fund Program at a cost not to exceed FIFTEEN THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$15,750.00) and Ordering an exemption from Section 262.024 of Local Government Code (Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Account # 817-0105-6022 Professional Services]

Cmr. Sciaraffa motioned to approved item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 65. Discussion and possible to increase the employee contribution to the Webb County Health Insurance by TEN DOLLARS (\$10.00) per pay period, per employee across all Employee Tiers effective October 1, 2006 resulting in the following changes:

TIER FROM TO

Employee Only \$10.00 \$20.00
Employee One Child \$55.00 \$65.00
Employee Children \$60.00 \$70.00
Employee Spouse \$90.00 \$100.00
Employee Family \$110.00 \$120.00

Ms. Cynthia Mares recommended to the Court an across the Board \$10.00 increase to all Tiers. Ms. Mares mentioned that if it were to get done we would be looking at a \$388,000 increase to the revenues. She mentioned that by doing this at the end of the year the County would be looking at a projected shortfall of about maybe \$200,000. Cmr. Gutierrez stated that this would be a minimal increase to the employee in all Tiers. Cmr. Garza agreed with the recommendation.

Cmr. Gutierrez motioned to approve the \$10.00 increase per pay period. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66. Discussion and possible action to authorize the settlement of bodily injury of Armando Mata and Melissa Zuniga Ramos resulting from a motor vehicle collision which occurred on or about June 21, 2005 with a County vehicle driven by an Head Start employee. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (2) Consultation with Attorney.] (Account No. 001-0105-9201 Head Start/Claims Paid)**

Cmr. Gutierrez motioned that the Court go into Executive Session at 6:14 p.m. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni mentioned Court was back from Executive Session at 6:29 p.m. and that no action was taken.

Mr. Ramirez stated that in respect to this claim he is recommending some authority along the lines that were discussed in Executive Session and once finalized they would negotiate a settlement and bring it back to the Court for approval.

Cmr. Gutierrez motioned to accept the recommendation of Mr. Homero Ramirez. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 67. Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

9-25-06 proposed list

Changes to 2006 - 2007 Proposed Annual Budget			
General Fund		Expenditures	
		Increases	Decreases
Changes to Proposed Budget		\$ 410	
1 Correction to Purchasing Agent Personnel General Order		4,227	
2 Economic Development title change from Office Manager to Admin. Asst.		0	
3 Tax Assessor / Collector			
a Create Line Item R & M Software from R & M Equipment \$ 5,000		0	
b Create slot to produce required reports for Del. Tax attorneys		41,559	
c Two Collection Specialist from \$ 32,000 to \$ 35,000		92,616	Note
4 Constable PCT. 2 Ruben Reyes			
a Increase slots earnings			
Slot 1984 From Deputy Constable to Lieutenant		4,793	
Slot 1985 From Deputy Constable to Captain		14,816	
5 Increase MHMR Third Party Funding		100,000	
6 Increase cash match for Community Action Agency		73,000	
7 Increase 311 Information telephone service for operations		20,000	
8 Increase Justice of Peace Rangel local mileage		500	
9 Increase J.P. PCT. 4 Martinez Professional Service for Armored Car Service		7,500	
10 Delete Mental Health Unit			217,858
11 Decrease 10% salary for all County and Sheriff Bargaining Unit employees to 5% in Oct. and 5% in April			887,677
12 Elected Officials 5% salary with the following exceptions		144,450	
No salary increase for County Judge & County Commissioners			
All J.P.s increase to \$ 72,000 and County Clerk at par w/ District Clerk			
13 Community Centers	Attachment A	513,133	
Bruni Community Center Driver / Maint.	Attachment B	35,282	
14 Create Indigent Health Dept. Deputy Director from Administrative Services Dept.		0	
15 Establish Community Center Directors as Department Heads		0	
16 Drug Court Bailiff from Judicial District Court 49th to 111th		0	
17 Drug Court's Court Reporter from Judicial District Court 406th to General Judicial		0	
18 Pre Trail Services Freeze Director Slot		0	
19 Delete Collection Department			212,742
20 Revise collection dept. projected revenues to Tax Assessor & County Clerk depts.	Total \$ 281,400	?	
21 Non-Compliance Audit issued from the Office of Court Administration State Administration Fees to be Disallowed	Total \$ 205,000	?	
		1,036,876	1,318,277
DECREASES OVER INCREASES	\$		281,811

Changes to 2006 - 2007 Proposed Annual Budget

General Fund	Expenditures	
	Increases	Decreases
1 Recommend Collections department under Judicial Board with hiring assistance by OCA's Regional Collection Specialist	212,742	
2 Delete Pre-Trial Service Director		63,097
a Delete Pre-Trial Bond Officer		50,409
b Delete Part-Timers		18,000
3 Establish the Indigent Defense Services Department from the Pre-Trial Services		
a New Department management by Indigent Defense Coordinator		
b Two Judicial District Judges and one County Commissioner depart. Oversight		
4 Move Roving Court Reporter to 406th Judicial Court	0	
5 Move Bailiff to 49th Judicial Court	0	
6 Create two Mental Health Officer for Constable, PCT. 2 Operations	97,680 12,375	
7 Create office clerk slot for Constable, PCT. 4	33,475	
8 Third Party Funding for Kid's Cafe	10,000	
9 Create Maintenance Slot for J.P. PCT. 2 PL 2	28,411	
10 Create Assistant District Attorney for District Attorney Rubio	94,603	
	<u>489,286</u>	<u>131,506</u>
INCREASES OVER DECREASES	\$ 357,780	

Attachment C

9-25-06 revised list

Changes to 2006 - 2007 Proposed Annual Budget		
	Expenditures	
	Increases	Decreases
<u>General Fund</u>		
Changes to Proposed Budget	\$ 410	
1 Correction to Purchasing Agent Personnel General Order	4,227	
2 Economic Development title change from Office Manager to Admin. Asst.		
3 Tax Assessor / Collector		
a Create Line Item for R & M Software from R & M Equipment \$ 5,000		
b Create slot to produce required reports for Del. Tax attorneys	41,559	
c Create Collection Dept - Two Collection Specialists from \$ 32,000 to \$ 35,000	92,616	
4 Constable PCT. 2 Ruben Reyes		
a Increase slots earnings		
Slot 1984 From Deputy Constable to Lieutenant	4,793	
Slot 1985 From Deputy Constable to Captain	14,816	
5 MHMR Third Party Funding	200,000	
6 Increase cash match for Community Action Agency	73,000	
7 Increase 311 Information telephone service for operations	20,000	
8 Increase Justice of Peace Rangel local mileage	500	
9 Increase J.P. PCT. 4 Martinez Professional Service for Armored Car Service	7,500	
10 Delete Mental Health Unit		217,858
11 Decrease 10% salary for all County and Sheriff Bargaining Unit employees to 5% in Oct. and 5% in April		887,677
12 Elected Officials 5% salary with the following exceptions	144,450	
No salary increase for County Judge & County Commissioners		
All J.P.s increase at \$ 72,000 and County Clerk at par w/ District Clerk		
Create County Clerk Collection Department		
13 Departmental and Community Center Personnel	513,133	
Bruni Community Center Driver / Maint.	35,282	
14 Create Indigent Health Dept. Deputy Director from Administrative Services Dept.		
15 Establish Community Center Directors as Department Heads		
16 Delete County Auditor Collection Department		212,742
17 Allocate Collection Department projected revenues to departments		
18 Delete Pre-Trial Service Director		63,097
a Delete Part-Timers		18,000
19 Establish the Indigent Defense Services Department from the Pre-Trial Services		
a New Department management by Indigent Defense Coordinator		
b Dept. Oversight by Three Judicial District Judges and one County Commissioner		
Attachment A		

Changes to 2006 - 2007 Proposed Annual Budget

	Expenditures	
	<u>Increases</u>	<u>Decreases</u>
20 Leave Court Reporter at 406th Judicial Court		
21 Leave Bailiff at 49th Judicial Court		
22 Create three Mental Health Officer for Constable, PCT. 2	146,520	
Increase Dept. Operations	12,375	
23 Create office clerk slot for Constable, PCT. 4	33,475	
24 Third Party Funding for Kid's Cafe	10,000	
25 Create Maintenance Slot for J.P. PCT. 2 PL 2	28,411	
26 Create Assistant District Attorney for District Attorney Rubio	94,603	
27 Decrease Judicial General Court Interpreter / Reporter		30,000
28 Annualized salary for County Judge slot 1708 & 2282	69,383	
	<u>\$ 1,531,643</u>	<u>1,429,374</u>
	Revenues	
29 Increase County Clerk Revenues	<u>300,000</u>	
	<u>300,000</u>	

Changes to 2006 - 2007 Proposed Annual Budget

	Expenditures	
	<u>Increases</u>	<u>Decreases</u>
<u>Road & Bridge Fund</u>		
Changes to Proposed Budget	\$	848,201
Correction to Budget & Record Departmental Personnel General Order	2,959	
Payroll at 5% in Oct and 5% in April		74,460
	<u>2,959</u>	<u>74,460</u>
EXPENDITURES OVER REVENUES	\$	776,700
<u>Water Utilities</u>		
Changes to Proposed Budget	\$	7,265
Create assistant cashier	33,785	
Decrease Fund's expenses		25,200
Payroll at 5% in Oct and 5% in April		15,451
	<u>33,785</u>	<u>40,651</u>
REVENUES OVER EXPENDITURES	\$	14,131

Attachment B